

1 *E-Filed 11/6/15*

2
3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5 SAN FRANCISCO DIVISION

6 EDJUAN SCOTT,

7 Plaintiff,

8 v.
9 CHARLES HOEN,
10 Defendant.

11
12 Plaintiff has filed a motion (Docket No. 8) in an action that was dismissed over four
13 years ago. The Court construes the motion, which requests a court order prohibiting his
14 custodians from administering shock therapy to him, as a motion to reopen. The action is
15 REOPENED and the Clerk is directed to amend the docket accordingly. The judgment
16 (Docket No. 4) and the order of dismissal (Docket No. 3) are VACATED.17 On or before December 15, 2015, plaintiff shall file an amended complaint using this
18 Court's form, copies of which were sent to him in August. By that date, plaintiff shall also
19 either (1) pay the full filing fee of \$400.00, or (2) file a complete application to proceed *in*
20 *forma pauperis*. Failure to comply with these requirements by the deadline will result in
21 dismissal of the action under Federal Rule of Civil Procedure 41(b) for failure to prosecute.22 Plaintiff's motion for an order directing his custodians to cease giving him electro-
23 shock therapy is DENIED as premature. It is too early in the litigation of this matter to
24 decide whether issuing such an order is warranted. The Clerk shall terminate Docket No. 8.25 **IT IS SO ORDERED.**

26 DATED: November 5, 2015


27 RICHARD SEEBORG
28 United States District Judge